

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)  
229752003700

First named inventor: Stuart M. PITSON

Application No: 10/509,036

Art Unit: Not Yet Assigned

Filed: September 27, 2004

Examiner: Not Yet Assigned

Title: METHOD OF MODULATING CELLULAR ACTIVITY

MS Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (571) 272-3282.The above-identified application became abandoned for failure to file a timely and proper reply to a notice or  
action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration  
date of the period set for reply in the office notice or action plus any extensions of time actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications  
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**
☐ Small entity – fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status.  
See 37 CFR 1.27.

☒ Other than small entity – fee \$ 1,500.00 (37 CFR 1.17(m))
**2. Reply and/or fee****A. The reply and/or fee to the above-noted Office action in**the form of Response to Notice to File Missing Requirements (identify type of reply):
☐ has been filed previously on \_\_\_\_\_.

☒ is enclosed herewith.
**B. The issue fee and publication fee (if applicable) of \$ \_\_\_\_\_**
☐ has been paid previously on \_\_\_\_\_.

☐ is enclosed herewith.


## 3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.



Signature

October 26, 2007

Date

Adam Keser

Typed or printed name

54,217

Registration Number, if applicable

MORRISON & FOERSTER LLP  
1650 Tysons Blvd, Suite 400  
McLean, Virginia 22102

Address

(703) 760-7301

Telephone Number

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☐ Other: \_\_\_\_\_

Docket No.: 229752003700  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Stuart M. PITSON et al.

Application No.: 10/509,036

Confirmation No.: 1337

Filed: March 28, 2003

Art Unit: Not Yet Assigned

For: METHOD OF MODULATING CELLULAR  
ACTIVITY

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Examiner: Not Yet Assigned

**PETITION FOR INVENTOR NAME CHANGE UNDER 37 CFR § 1.182**

MS Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:


Julia R. VERWEY, an inventor in this application, lawfully changed her name to her maiden name, Julia R. ZEBOL, at the time of the filing of this application. Enclosed is a Statutory Declaration, Certificate of Marriage, and Certificate of Divorce to certify the name change on the Declaration submitted for this application. Accordingly, the attached declaration has been executed under the name Julia R. ZEBOL.

Subsequent to the execution of the declaration, Ms. ZEBOL remarried and changed her name to Julia R. Dobbins. A second Certificate of Marriage is submitted as proof that her name is currently Julia R. DOBBINS. Applicants hereby petition to have the inventor listed as Julia R. DOBBINS in this application. A Supplemental Application Data Sheet showing the inventor name change is also attached.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **229752003700**.

Dated: October 26, 2007

Respectfully submitted,

By   
Adam Keser  
Registration No. 54,217  
MORRISON & FOERSTER LLP  
1650 Tysons Blvd, Suite 400  
McLean, Virginia 22102  
(703) 760-7301

# STATUTORY DECLARATION

(1) Here insert name, address and occupation of person making the declaration.

I, (1) (Name) JULIA ROSE DOBBINS  
 (Address) 25 SWAN CIRCUIT  
MANSON LAKES, SA, 5095  
 (Occupation) RESEARCH SCIENTIST

(2) Here insert matter declared to. Where the matter is long, add the words "as follows:" and then set the matter out in numbered paragraphs.

do solemnly and sincerely declare (2)  
 that my maiden name is Julia Rose Zetool and on the 18<sup>th</sup> day of May, 2002, I was married and consequently changed my name to Julia Rose Verwey. I then separated from my husband and changed my name back to my maiden name. I then divorced from my husband on the 17<sup>th</sup> day of December, 2004. I then recently remarried on the 31<sup>st</sup> day of March, 2007 and consequently changed my name to Julia Rose Dobbins. I make this solemn declaration by virtue of the Statutory Declarations Act 1959 as amended and subject to the penalties provided by that Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

(3) Signature of person making the declaration.

(3) J. Dobbins

Declared at (place) Adelaide, South Australia, AUSTRALIA

on (date) 8<sup>th</sup> day of October, 2007.

before me (in the presence of),

(4) Signature of person before whom the declaration is made.

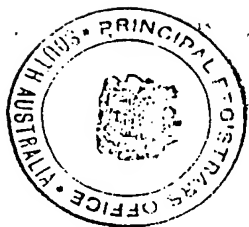
(4) J. J. SP 10914 J BYARS

(5) Here insert title of person before whom the declaration is made.

(5) **JUSTICE OF THE PEACE  
IN & FOR THE STATE OF S.A.**

**NOTE 1.**-A person who willfully makes a false statement in a statutory declaration under the *Statutory Declarations Act 1959* as amended is guilty of an offence against that Act, the punishment for which is a fine not exceeding \$200 or imprisonment for a term not exceeding six months or both if the offence is prosecuted summarily, or imprisonment for a term not exceeding four years if the offence is prosecuted upon indictment.

**NOTE 2.**-A statutory declaration may be made before a Magistrate, a Justice of the Peace, a Commissioner for Affidavits, a Commissioner for Declarations, a Notary Public, a person before whom a statutory declaration may be made under the law of the State in which the declaration is made, an Australian Consular Officer or an Australian Diplomatic Officer as defined by section two of the Consular Fees Act 1995, a chiropractor, a dentist, a legal practitioner, a medical practitioner, a nurse, a patent attorney, a pharmacist, a veterinary surgeon, an agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public, a bailiff, a bank officer with five or more years of continuous service, a building society officer with five or more years of continuous service, the chief executive officer of a Commonwealth court, a civil marriage celebrant, the clerk of a court, a credit union officer with five or more years of continuous service, the holder of a statutory office, the Judge of a court, the Master of a court, a member of the Australian Defence Force who is an officer or a non-commissioned officer within the meaning of the Defence Force Discipline Act 1982 with five or more years continuous service or a warrant officer within the meaning of the Act, a member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountants, a member of the Institute of Corporate Managers, Secretaries and Administrators, a member of the Institution of Engineers, Australia other than at the grade of student, a member of the Parliament of the Commonwealth, the Parliament of a State, a Territory legislature or a local government authority of a State or Territory, a minister of religion registered under Division 1 of Part IV of the Marriage Act 1961, a permanent employee of the Commonwealth or of a Commonwealth authority or a State or Territory or of a State or Territory authority or a local government authority with five or more years continuous service, a permanent employee of the Australian Postal Corporation with five or more years continuous service who is employed in an office supplying postal services to the public, a police officer, the Registrar or Deputy Registrar of a court, a Senior Executive Service officer of the Commonwealth or of a State or Territory or of a Commonwealth, State or Territory authority, a Sheriff, a Sheriff's officer, or a teacher employed on a full-time basis at a school or tertiary education institution.



I, Eric Douglas BYERLEE, Principal Registrar of Births, Deaths and Marriages for the State of South Australia, do hereby certify that the above is a true copy of an entry in a register kept in this Office. Given under my hand and seal of office this 27th day of October, 1978

OFFICE OF THE PRINCIPAL REGISTRAR  
ADELAIDE. S.A.

PRINCIPAL REGISTRAR

No 324543

District of .. .. .		TALUNGA	No. 7	19 78
Surname .. .. .		ZEBOL		
CHILD:	Christian names .. .. .	JULIA ROSE		
	Date of birth .. .. .	23. 7.1978		
	Place of birth .. .. .	MODEBURY HOSPITAL, MODEBURY		
	Sex .. .. .	FEMALE		
FATHER:	Surname .. .. .	ZEBOL		
	Christian names .. .. .	STANISLAW RYSZARD		
	Age .. .. .	34 years		
	Place of birth .. .. .	KRAKOW, POLAND		
MOTHER:	Occupation .. .. .	LABOURER		
	Surname .. .. .	ZEBOL		
	Christian names .. .. .	WIELYSLAWA WERONIKA		
	Maiden surname .. .. .	OCHNIK		
MARRIAGE OF PARENTS:	Former married surnames ..	1. 2.		
	Age .. .. .	26 years		
	Place of birth .. .. .	ADELAIDE, SOUTH AUSTRALIA		
	Usual Residence .. .. .	26 FENNER CRESCENT, PARA HILLS 5096		
INFORMANT:	Year of present marriage ..	1976		
	Number of previous issue ..	Living Deceased		
	Name .. .. .	S. ZEBOL		
	Description .. .. .	FATHER		
Date of registration .. .. .	Residence .. .. .	26 FENNER CRESCENT, PARA HILLS 5096		
	28. 7.1978			

FOR OFFICIAL USE ONLY

Entered at the General Registry Office this

28

day of

JULY

19

'78

I certify this to be a true and correct copy,

the original document sighted at

AD/EA/PE-SA

on 30 October 2000

ARTHUR CON MANGOS J.P. 14203  
Pro Deputy Registrar  
Justice of the Peace in and for  
the State of South Australia.

JP



I certify this to be a true and correct copy of  
the original document sighted at

ADelaide on 8<sup>th</sup> DECEMBER 2007

Marriage Act 1961

Regms SP 10914 384122

JUSTICE OF THE PEACE  
IN & FOR THE STATE OF S.A.

# Certificate of Marriage

I, Father Marek Ptak CR

having authority under the Marriage Act 1961 to solemnise marriages, hereby certify that I have this day at

St Maximillian Kolbe Church, Ottoway, South Australia

duly solemnised marriage in accordance with the provisions of that Act and according to

the rites of The Catholic Church

between Mathew John Berwey

and Julia Rose Zebol

in the presence of the undersigned witnesses.

Dated this Eighteenth day of May 2002

Fr Marek Ptak CR  
Signature of Celebrant

Signatures of Parties  
to the Marriage

BRIDE

Signatures of  
Witnesses

WITNESS

WITNESS

[Signature]

Julia Zebol  
BRIDE

[Signature]  
WITNESS

[Signature]  
WITNESS

**CERTIFICATE OF DIVORCE**

**IN THE FEDERAL MAGISTRATES COURT  
OF AUSTRALIA**

**File No. (P)MLM8383/2004**

**AT MELBOURNE**

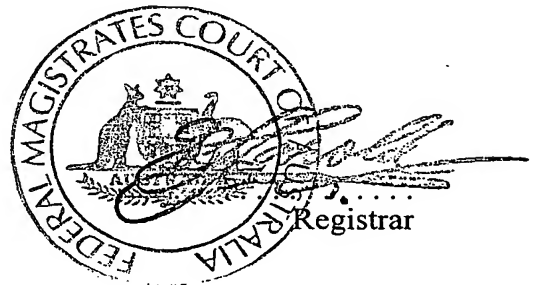
In the marriage between:

**MATTHEW JOHN VERWEY** (Husband)

and

**JULIA ROSE ZEBOL** (Wife)

In relation to the marriage solemnised on the eighteenth day of May 2002 I certify that the decree nisi of dissolution of marriage made by the Court on sixteenth day of November 2004 became absolute on seventeenth day of December 2004.



**NOTES:**

1. If a party to the marriage proposes to make any application to the Court as to property or as to the maintenance of that party such application must be made within 12 months of the decree becoming absolute. After that time such an application cannot be made without first obtaining the leave of the Court to do so.
2. Dissolution of marriage may revoke, or otherwise affect the operation of, the Will of a party. Parties should seek legal advice about their position under the law of the State or Territory concerned.

**JULIA ROSE ZEBOL**  
42 Bryant Street  
FLEMINGTON VIC 3031

**I certify this to be a true and correct copy of  
the original document sighted at**

**ADENADE** on 8<sup>th</sup> OCTOBER 2007

*Adenade SP1094 SBYARS*

**JUSTICE OF THE PEACE  
IN & FOR THE STATE OF S.A.**

# CERTIFICATE OF MARRIAGE

Marriage was solemnised in the State of South Australia  
between the parties particulars of whom are given below

On the 31st day of March, 2007  
At Saltrams Winery, Angaston  
According to Civil Rites

I certify this to be a true and correct copy of  
the original document sighted at

ADelaide on 8th October 2007  
JUSTICE OF THE PEACE  
IN & FOR THE STATE OF SA  
SP10914 SD1A25

	Bridegroom	Bride
Surname	DOBBINS	ZEBOL
Christian or other names	Gregory Clifford	Julia Rose
Usual occupation	Production Worker	Research Assistant
Usual place of residence	25 Swan Circuit Mawson Lakes SA 5095	25 Swan Circuit Mawson Lakes SA 5095
Conjugal status	Never Validly Married	Divorced
Birthplace	Penola SOUTH AUSTRALIA	Modbury SOUTH AUSTRALIA
Date of birth	12 August 1974	23 July 1978
Father's name in full	DOBBINS Wayne Edwin	ZEBOL Stanislaw Ryszard
Mother's maiden name in full	HALES Elizabeth Joy	OCHNIK Wielyslawa Weronika

Witnesses to marriage

Christopher Wayne DOBBINS

Helen GASIOROWSKI

On the date and at the place specified above, Carol Anne Muzyk duly solemnised marriage in accordance with the provisions of the *Marriage ACT 1961* between the parties specified above.

Registration number 20122826

Date registered 17 April 2007



BIRTHS, DEATHS AND MARRIAGES REGISTRATION OFFICE, ADELAIDE

I hereby certify that the above particulars are contained in an entry  
in the Register kept in this Office in the State of South Australia

Given under my hand and seal this 25th day of September, 2007



REGISTRAR